

EXHIBIT 10

FLONES v. BEAUMONT HEALTH SYSTEM

THEODORE J. REPP, R.N.

January 23, 2013

Prepared for you by



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1 Physician ordered it.

2 Q. Okay. That means that one of your jobs is to make
3 sure that before the blood is given, the physician
4 ordered that blood be given? That's one of the jobs
5 of the circulator?

6 A. Yes. It's kind of like the group, you know, the nurse
7 anesthetist, the circulator, and the doctor.

8 Q. And when you sign off on that as a circulator, what
9 you're doing is you're attesting to the fact that the
10 blood was given pursuant to what the circulator
11 understood to be a physician's order; right?

12 A. Correct.

13 Q. Because you can't give blood without a physician's
14 order?

15 A. Correct.

16 Q. When you work in the OR setting on this type of
17 procedure, it's like a team approach; is it not?

18 - A. Correct.

19 Q. You have the doctor: correct?

20 A Correct

21 0 You have a CRNA?

22 A. Correct

23 0 You have a circulator?

24 A Correct

35 Q. Anybody else involved in a procedure of this type?

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1 done in his presence and he objects if he thinks it
2 shouldn't be done?

3 A. The latter.

4 Q. So it wouldn't be unusual for Ms. Flones to instruct
5 Ms. Angelo to call for blood; correct?

6 A. Uh-hum.

7 Q. Yes?

8 A. Yes.

9 MR. HANCOCK: Ms. Angelo or Ms. Kendall?

10 THE WITNESS: It's Engelli Kendell, Engelli
11 is her first name.

12 BY MR. PALMER:

13 Q. Okay. She's a CRNA and you've worked with her?

14 A. No, she's a nurse, another nurse in the OR.

15 Q. I'm sorry. She's

16 A. Correct.

17 Q. You've worked with her before?

18 A. Yes.

19 Q. And she's a competent circulating nurse?

20 A. Yes.

21 Q. You would expect she'd do it the same way you do it?

22 A. Yes.

23 Q. Now, normally what would happen then is that -- strike
24 that.

25 If something went on in the room with --

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1 strike that.

2 Do you know what Melissa Flones was accused
3 of doing wrong?

4 A. Hanging blood.

5 Q. Without a physician's order?

6 A. Yeah.

7 Q. You know that that's what she's generally accused of
8 doing wrong?

9 A. Yes.

10 Q. Now, if the -- based on your -- how many times have
11 you been a circulating nurse in Dr. Schreck's room?

12 A. Numerous.

13 Q. Hundreds?

14 A. Probably.

15 Q. Now, hypothetically, if Ms. Flones and Ms. Kendell
16 testify that the procedure went like you described, in
17 other words, that Ms. Flones noted a need for blood.

18 A. Uh-hum.

19 Q. Instructed the circulating nurse to call for blood,
20 the circulating nurse called for blood, blood was
21 delivered, the check points were done verbally, and
22 then the blood was given, based upon your experience
23 with Dr. Schreck, do you believe that that could
24 happen without Dr. Schreck knowing about it?

25 A. No.

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1 Q. The scrub tech hands all the --

2 A. Instrumentation.

3 Q. Right. Where would the student, the nursing student
4 be?

5 A. Normally we try to set them at the head so they can
6 see.

7 Q. At the head where you and Ms. Flones are, you'd be
8 able to see the doctor, the procedure?

9 A. Yes.

10 Q. And would you be able to see the actual open hip
11 that's being operated on?

12 A. If you look over the drape, yes. You have to make the
13 effort.

14 Q. But you can see the physician without making the
15 effort?

16 A. Yes.

17 Q. Where would the representative of the hardware be, the
18 surgical hardware representative?

19 A. Left or right side at the head.

20 Q. Did anyone ever, other than what you may have told Mr.
21 Hancock, has anyone ever interviewed you as to how
22 this procedure works -- how this procedure went?

23 A. This specific procedure?

24 Q. Yes.

25 A. No.